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UNITED STATES DISTRICT COURT  
District of Nevada

UNITED STATES OF AMERICA,	)	Case No. 2:18-cr-00356-APG-CWH-01
Plaintiff,	)	
	)	
v.	)	PETITION FOR ACTION
	)	ON CONDITIONS OF
ALBERT RAUL FRANCO	)	<u>PRETRIAL RELEASE</u>
Defendant	)	

Attached hereto and expressly incorporated herein is a Petition for Action on Conditions of Pretrial Release concerning the above-named defendant prepared by Zack Bowen, Senior United States Pretrial Services Officer. I have reviewed that Petition and I concur in the recommended action requested of the Court.

Dated this 30<sup>th</sup> day of April, 2020.

NICHOLAS A. TRUTANICH  
United States Attorney

By /S/.  
SIMON F. KUNG  
Assistant U. S. Attorney

PS 8  
(Revised 12/04)

**UNITED STATES DISTRICT COURT  
for the  
DISTRICT OF NEVADA**

U.S.A. vs. ALBERT RAUL FRANCO

Docket No. 2:18-cr-00356-APG-CWH-1

**Petition for Action on Conditions of Pretrial Release**

COMES NOW ZACK BOWEN, SENIOR U.S. PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant Albert Raul Franco. On November 13, 2018, the defendant was arrested in the Central District of California on a warrant from our district and made his initial appearance on the same date. At his detention hearing held on November 15, 2018, before U.S. Magistrate Judge Shashi H. Kewalramani, he was released on a \$40,000 appearance bond, signed by Shanell Gillard and Karley Franco, with the following conditions of release:

1. Shall not commit a federal, state, or local crime during the period of release.
2. Submit to Pretrial Services Agency (PSA) supervision as directed.
3. Surrender all passports and travel documents to Pretrial Services no later than 5pm on November 15, 2018, sign a Declaration re Passport and Other Travel Documents, and do not apply for a passport or other travel document during the pendency of this case.
4. Travel is restricted to Riverside County, San Bernardino County, and the District of Nevada, unless prior permission is granted by Pretrial Services to travel to a specific other location. Court permission is required for international travel.
5. Reside as approved by Pretrial Services and do not relocate without prior permission.
6. Maintain or begin an educational program and provide proof to Pretrial Services.
7. Avoid all contact, directly or indirectly (including by any electronic means), with any known codefendants except in the presence of counsel.
8. Do not possess any firearms, ammunition, destructive devices, or other dangerous weapons. In order to determine compliance, you agree to submit to a search of your person and/or property by Pretrial Services in conjunction with the U.S. Marshal.
9. Do not use alcohol.
10. Do not use or possess illegal drugs or state-authorized marijuana. In order to determine compliance, you agree to submit to a search of your person and/or property by Pretrial Services in conjunction with the U.S. Marshal.
11. Do not use for purposes of intoxication any controlled substance analogue as defined by federal law or street, synthetic, or designer psychoactive substance capable of impairing mental or physical functioning more than minimally, except as prescribed by a medical doctor.
12. Submit to drug and alcohol testing. If directed to do so, participate in outpatient treatment approved by Pretrial Services. You must pay all or part of the costs for testing and treatment based upon your ability to pay as determined by Pretrial Services.
13. Submit to a mental health evaluation. If directed to do so, participate in mental health counseling and/or treatment approved by Pretrial Services. You must pay all or part of the costs based upon your ability to pay as determined by Pretrial Services.

14. Participate in the Location Monitoring Program and abide by all of the requirements of the program, under the direction of the Pretrial Services Office which will include a location monitoring bracelet. You must pay all or part of the costs of the program based upon your ability to pay as determined by Pretrial Services. You must be financially responsible for any lost or damaged equipment.

- You are restricted to your residence every day as directed by Pretrial Services.

15. You are placed in the third-party custody of Terri Coprich.

On November 26, 2018, the defendant appeared in the District of Nevada for an initial appearance before U.S. Magistrate Judge Cam Ferenbach and was released on a Personal Recognizance Bond with the same conditions as previously ordered in the Central District of California.

On January 25, 2019, the defendant's conditions of release were modified to remove his home detention condition and place him on stand-alone monitoring, restricting the defendant's travel to the state of Nevada.

On May 8, 2019, the defendant's conditions of release were modified to allow him to travel within the state of Nevada and to Southern California.

On July 19, 2019, the defendant's conditions of release were modified to from do not use alcohol to no excessive use of alcohol.

On August 15, 2019, the defendant's conditions of release were modified to include the defendant shall maintain your residence as approved by Pretrial Services and if the defendant cannot maintain his current residence, then he shall maintain residence at a halfway house or community correction center as Pretrial Services or the supervising officer considers necessary.

**Respectfully presenting petition for action of Court and for cause as follows:**

1. On March 28, 2020, the defendant was arrested by the Las Vegas Metropolitan Police Department (LVMPD) for Trafficking a Schedule I Controlled Substance, 4-14 grams. Additionally, the arrest report indicates the defendant fled from officers and had to be tazed twice in order to be subdued.
2. The defendant failed to report this contact with law enforcement, a standard condition of pretrial services supervision.

PRAYING THAT THE COURT WILL ORDER THAT A SUMMONS BE ISSUED UPON THE ALLEGATIONS OUTLINED ABOVE. FURTHER, THAT A HEARING BE HELD TO SHOW CAUSE WHY PRETRIAL RELEASE SHOULD NOT BE REVOKED.

ORDER OF COURT

Considered and ordered this 1st day of May, 2020 and ordered filed and made a part of the records in the above case.



Honorable Andrew P. Gordon  
U.S. District Judge

I declare under penalty of perjury that the information herein is true and correct.  
Executed on this 30<sup>th</sup> day of April, 2020.

Respectfully Submitted,



Zack Bowen  
Senior U.S. Pretrial Services Officer  
Place: Las Vegas, Nevada

*RAP*